August 6, 2013

9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in regular session on August 6, 2013 at 9:00 a.m. at the County Courthouse. Members present were: Denis Arbach, Richard Godkin, Duane Martin, and Phylliss Pudwill. Don Leff was absent. Also present were Auditor Rebecca Krein, States Attorney Jamie Hare, and Sandy Bond, news reporter for the Mobridge Tribune.

Chairperson Pudwill called the meeting to order.

The Pledge of Allegiance was recited by those in attendance.

Arbach moved and Martin seconded that the minutes of the meeting of July 16, 2013 be approved. Voting Aye: 4; Nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

Godkin moved and Arbach seconded that the following claims be paid. Voting Aye: 4; Nay: 0. The motion was adopted.

**GENERAL FUND:** Cardmember Service – postage, $100.00

**COMMISSIONERS:** Denis Arbach – mileage expense, $99.90; Don Leff – mileage expense, $31.08; Marco Inc – maintenance contract, $5.66; Duane Martin – mileage expense, $46.62; Phylliss Pudwill – mileage expense, $15.54; Richard Godkin – mileage expense, $31.08; Selby Record – official proceedings, $247.59; Mobridge Tribune – official proceedings, $241.80; Venture Communications Coop – fax service, $44.27;

**COURTS:** Kristi A Brandt – transcripts $81.60; Language Line Services, $63.19;

**AUDITOR:** A&B Business Service – supplies, $12.99; Cardmember Service – postage, shipping $12.23; Leah Holder – mileage expense, $39.96; Marco Inc – maintenance contract, $24.83; Midcontinent Communications – internet service, $13.13; Selby Record – vouchers, $431.90; Venture Communications Coop – fax and phone service, $84.07;

**TREASURER:** Cardmember Service – postage, shipping - $10.68; Marco Inc – maintenance contract, $11.64; Midcontinent Communications – internet service, $13.13; Venture Communications Coop – fax and phone service, $86.01;

**STATES ATTORNEY:** A&B Business Inc – supplies, $4.93; Cardmember Service – postage $0.46; Connecting Point – installed hard drive, $60.00; Marco Inc – maintenance contract, $0.06; Midcontinent Communications – internet service, $13.13; Mobridge Regional Hospital - $928.00; Venture Communications Coop – phone service, $110.40;

**COURT APPOINTED ATTORNEY:** Vickie S Broz Krause - $945.80; Dakota Plains Legal Services - $441.00; William D. Gerdes – 1947.60; Christopher R Jansen – 634.20;

**ABUSED CHILD DEFENSE:** Von Wald Law Office - $305.62;

**COURTHOUSE:** Cardmember Service – paper towels $31.50; City of Selby – water & sewer service, $199.18; Montana Dakota Utilities – electricity, natural gas, $738.80; Colonial Research Chemical – shipping, cleaning supplies, $363.72; Reuer Sanitation Inc – garbage service, $95.00; Runnings Supply Inc – gear drive rotor, supplies, $54.44; Servall Uniform & Linen Supply – mats & mops, $34.74; Kurt A Wolf – lawn care, $725.00;

**DOE:** Best Western Ramkota Hotel – lodging Hesselberg & Kahl, $154.00; Cardmember Services- postage, supplies, $23.90; Connecting Point – support contract, $3471.00; Michelle Hesselberg – meal expense, $35.00; Deborah Kahl – meal expense, $35.00; Ken’s Western Lumber – surge protectors, $31.98; Leonard’s Studio – camera memory card, $29.90; Marco Inc – maintenance contract, $111.07; Midcontinent Communications – internet service, $13.13; Quill Corporation – wireless mouse, supplies, $159.94; SDAAO Colleen Skinner – Tuition Kahl & Hesselberg, $600.00; Shorty’s One Stop – gasoline, $44.26; Venture Communications Coop - $63.19

**REGISTER OF DEEDS:** Cardmember Service – postage $1.84; Connecting Point – flatbed scanner, $1550.00; Hal Systems Corporation – software maintenance, system support, $485.75; Marco Inc – maintenance contract, $23.88; Midcontinent Communications – internet service, $13.12; Quill Corporation – supplies, ink cartridge, $31.97; Reliable Office Supplies – supplies, $77.15; Venture Communications Coop - $58.17;

**SHERIFF:** AT&T – June & July cell phone service, $241.60; Beadle Ford Inc – supplies, labor Crow Vic, repair Crown Vic, $750.13; Connecting Point – computer repair, $80.00; Duckwall-Alco Stores Inc. – supplies, $14.99; Family Pharmacy Inc – supplies, $1.49; McLeod’s Printing & Office – shipping, sheriff return books, traffic tickets, $450.00; Midcontinent Communications – internet service, $13.12; Duane Mohr – receipt books, $68.24; Pennington County – transportation, $149.40; Redwood Toxicology Lab – complete drug screens, $99.00; Ron’s Repair – balance tire, oil change/balance tires, $70.95; Shorty’s One Stop – gasoline, $136.16; State Radio Communications – teletype service, $2250.00; Valley Motors – oil change/rotate tires Crown, $134.38; Venture Communications Coop – phone and fax, $111.43; Western Communications Inc – radio maintenance, $21.60; Creative Product Sourcing Inc – replace check #57325, $255.15;

**JAIL:** A&B Business Inc – envelopes, paper, toner, $136.35; Avera St Luke’s DBA – immunizations, $474.74; Cardmember Service – postage, groceries $133.10; City of Selby – water & sewer service, $198.81; Duckwall Alco Stores Inc. – personal care, groceries, cleaning products, $187.50; Family Pharmacy – prescription, $16.58; Hettinger Mobridge Candy – bath soap, $131.98; Kanks Meat Market – groceries, $1000.00; Lind’s Hardware – supplies, hand mixer, microwave, fan, $196.16; Marco Inc – maintenance contract - $0.20; Merkel’s Foods – supplies, personal care items, OTC medications, groceries, cleaning products, paper products, $2145.89; Mobridge Medical Clinic – medical care, $39.86; Montana Dakota Utilities – electricity & natural gas, $837.15; Orthopedic surgery SP LTD – medical care, $1768.11; Selby Ambulance Service Inc – medical care, $223.05; Servall Uniform & Linen Supply – mats & mops, $58.91; Shorty’s One Stop – groceries, $19.16; Stoick’s Food Center – groceries, $420; Venture Communications Coop – internet repair and service, phone & fax service, $276.90; Woodman Refrigeration Inc – repair rooftop air conditioner, $463.59;

**CORONER:** transport service, $960.00

**EMERGENCY & DISASTER:** West River Telecommunications – phone & internet service $79.60; Western Communications Inc – on site installation, repair/reprogramming radio, $2857.52;

**SUPPORT OF POOR:** Marco Inc – maintenance contract, $0.55Venture Communications – phone service $23.69;

**MENTAL ILLNESS BOARD:** services, $197.20; hearing, $30.00

**EXTENSION:** Best Western of Huron – state horse show – Malsom, $70.36; Cardmember Service – postage, $3.22; Marco Inc – maintenance contract, $3.40; Midcontinent Communications – internet service, $13.12; Venture Communications Coop – phone service, $43.25;

**WEED CONTROL:**  City of Selby – water & sewer service, $39.10; Hammer’s Honda/Yamaha – tires & service ATV, $396.38; Midcontinent Communications – internet service, $13.12; Selby Auto Sales & Service – repairs T110, $25.69; Selby Oil Company – tire repair T110 $12.00; Shorty’s One Stop – gasoline, $426.39; Western Communications Inc – radio reprogramming, radio maintenance, $162.00;

**PLANNING & ZONING:** Mobridge Tribune – affidavit of publication, $13.57;

**RD & BR:** Butler Machinery Co – repairs, supplies, $1606.14; Cam Wal Electric Cooperative – electricity @ Hoven shop - $42.71; Cardmember Service – supplies, $57.30; City of Java – water service, $18.00; City of Mobridge – water & sewer service, $41.34; City of Selby – water & sewer service, $39.10; Flint Hills Resources LP – 194.37 tons AE @ $470.36, $91423.87; GTC Auto Parts – supplies, freight, Zep Big Orange, $391.14; Hoven Repair & Body Shop – supplies, $19.86; John Deere Financial – isolator M72, window M72, $262.91; Ken’s Western Lumber – supplies T65, $21.60; Lacal Equipment Inc. – mower blades, $1203.06; Marco Inc – maintenance contract, $9.32; Mobridge Manufacturing Inc – shaft T48, $96.12 Tribune – affidavit of publication, $25.81; Montana Dakota Utilities, electricity @ state shop, Selby, Mobridge, $209.23; North Central Farmers Elevator – gasoline & fuel, $1342.72; North Central Rental & Leasing – packer rental, $4928.48; North Star Energy LLC – propane, $116.36; Praxair Distribution Inc – welding supplies, $121.08; Reuer Sanitation Inc – garbage service, $35.00; Runnings Supply Inc – supplies, $25.98; Selby Auto Sales & Service – check engine light, tire MTP 58, supplies, $232.45, Selby Record – notice of hearing, subscription, $55.31; Servall Uniform & Linen Supply – towels & mats $56.02; Share Corporation – supplies, $51.75; Shorty’s One Stop – gasoline, $1364.57; Stoick’s Food Center – supplies, $30.65; Titan machinery – supplies, $75.34; True North Steel – culvert replacement supplies, $26118.42; Valley Motors – glass replacement & labor MS68, $169.00; Valley Telecommunications – cell phone service, $39.99; Venture Communications Coop – phone service @ Java, internet, phone & fax service, $254.43; West River Telecommunications – phone service, $31.33; Western Communications – radio maintenance, $135.90;

**SOLID WASTE:** Cam Wal Electric Cooperative – electricity, $188.76; Farnums Genuine Parts – fuel pump, $567.48; GCR Tire Centers – tire repair, $1216.65; Hammer’s Honda/Yamaha – supplies, $45.99; North Central Farmers Elevator – fuel, $4604.28; Runnings Supply Inc – supplies, $188.06; SD Department of Environment – solid waste surcharge, $1296.00; SD Office of Weights & Measures – scale inspection, $103.00; Servall Uniform & Linen Supply – mats$49.29; Shorty’s One Stop – gasoline, $471.14; Valley Telecommunications – internet, phone & fax service$76.63; Web Water Development – water service, $34.13; Western Communications Inc – radio maintenance, $9.30;

**5 COUNTY TV DISTRICT FUND:**  Cam Wal Electric Cooperative – electricity TV Translator, $874.18; FEM Electric Association – electricity - $74.31; Sid Haux – cell phone service & mileage expense, $177.51; Marco Inc – maintenance contract, $0.90; Mobridge Tribune – affidavit of publication, $25.97;

**REGIONAL E911 FUND:** Centurylink – access charges, $1272.74; Dakota 911 Conference – Registration fees Jungwirth, Johnson, Fischer & Carlson, $600.00; Golden West – final payment for battery, $8552.00; Venture Communications Coop – database updates, access charges, $424.09; West River Telecommunications - $182.66; Western Communications Inc – repair fan & support contract, $6242.20;

**WEST PAYMENT CENTER:** Discount plan charges, information charges & subscription - $2114.00;

**SDACO M&P FUND:** M & P Remittance - $186.00

**TREASURER:**

Walworth County Treasurer Greg Pudwill reported that Lila Martel has made a $450 payment. The tribe has refused her assistance but at this time she is paid ahead of the agreement.

Jackie DeShequette has been making payments but as of today she is late.

**AUDITOR:**

Martin moved and Godkin seconded a motion to authorize updating the Bank Signature Card to include Deputy Auditor Patti Baumann and to remove the authorization for Brenda DeToy to sign checks. Voting Aye: 4; Nay: 0. The motion was adopted.

**COUNTY HEALTH:**

Arbach moved and Godkin seconded to allow the Chairperson to initial the agreement for County Health Services with the Mobridge Regional Hospital. Voting Aye: 4; Nay: 0. The motion was adopted.

**COUNTY PROPERTY IN JAVA:**

Jerome Lee, president of the Java Town Board met with the board concerning county owned property on Main Street in Java. Lee stated that there is a large open hole that needs to be addressed. Several options were discussed on removing the structure and filling the hole. Commissioner Martin would like a delay of action to give him a chance to survey the property and study some of the options. Any further action was tabled pending a report from Commissioner Martin.

**JANITOR:**

Godkin moved and Martin seconded to approve taking Janitor Leah Holder off of probation effective July1, 2013. Voting Aye: 4; Nay: 0. The motion was adopted. The board commented on the good job she has been doing in the position.

**INSURANCE AND COURT HOUSE ROOF:**

Commissioner Martin has had some correspondence from our insurance company denying a claim for damage to the courthouse roof. Martin feels that there are other options for repairing the roof other than complete replacement. State’s Attorney Hare requested a copy of the contract for roof replacement from Tecta America to review the terms of the agreement. Commissioner Martin would like to see our local insurance companies have a chance at insuring the county. Martin moved and Arbach seconded a motion to advertise for bids for property and liability insurance. Voting Aye: 4; Nay: 0. The motion was adopted.

**SURPLUS PROPERTY:**

Martin moved and Godkin seconded to declare the While property surplus, with restraints to bidders. Voting Aye: 4; Nay: 0. The motion was adopted.

State’s Attorney Hare informed the board that the property at 619 1st St E, owned by the county is not salvageable. He would like to work with the city of Mobridge in getting the property cleaned up. State’s Attorney Hare will contact the city.

**NORTHEASTERN MENTAL HEALTH.**

Amy from Northeastern Mental Health was in attendance to provide the board with their annual report of services provided to county residents and to request $15,500.00. The board informed her that the request will be considered at the budget meeting.

**LANDFILL ISSUES:**

At the suggestion of Landfill Supervisor Badten, Martin moved and Godkin seconded to accept the proposal from Geo Tek for ground water monitoring at a cost of $8,145.00. Voting Aye: 4; Nay: 0. The motion was adopted.

Badten gave the commission an update on the Reuer account. He said there is $13,392.72 past due but he had received a fax of a check that should arrive at the landfill today for that amount.

Badten had no further information on the cell construction at the landfill. The contractor has not been to the site as of yet.

Badten has been in contact with Butler Machinery Co. regarding purchasing a new loader for the landfill. We could purchase one off of a bid from Walsh County ND for $217,769.00. The board advised him to check pricing with other companies and they will revisit the matter at a later date.

**MONTHLY DEPARTMENT HEAD MEETING:**

There were no issues brought forth by Department heads at this time. Commissioner Martin informed the Department Heads and the Commission that he had spoken with Roger Walker concerning his duties when the weed spraying season ends.

**EMERGENCY MANAGEMENT:**

 The county discussed emergency management concerns with Kendall Aldinger via conference call. Aldinger stated that salary for the emergency manager can be reimbursed up to 50%. He said that Walworth County has not been using all the funds that are available to them. He feels that 10 hours a week is not sufficient to get all the reporting done that the state requires. The board asked what the approximate salary range is for a full time Emergency Manager and he stated approximately 28,000.00 to 32,000.00 per year. The decision was tabled until the budget meeting.

**SHERIFF & JAIL ISSUES:**

Sheriff Mohr presented his monthly report to the board.

Arbach moved and Godkin seconded to declare 5 computer monitors as surplus property. Voting Aye: 4; Nay: 0. The motion was adopted.

Mohr reported that the town of Java is willing to pay the county to patrol in the town of Java based on an hourly rate. He suggests that the other small towns in the county also contract with the Sheriff’s Department for patrol services.

Jim Rowenhorst, Toby Morris, and Dean Marske were in attendance to discuss the possible jail renovation. Jim stated that he feels that at this time we do not have enough bed space. He also reported that Senate Bill 70 will have an impact on county jails. He said it would not cost much more to double the number of beds then if we were too build a jail with the number of beds we have now. He also reports that at this time both Hughes and Minnehaha counties are full. Jim suggests not going over 60 beds. He also says the current jail is not secure. He feels we should have a secure control room and he also feels that we are currently understaffed. The commission believes the public needs to be made aware of the risks. Commissioner Martin feels that we should not build at this time. The response was that the facilities are inadequate and we take a risk of being sued if we do nothing. It was also stated that to spend 1.6 to 1.8 million dollars to remodel would not be a wise use of money when we could build a new jail for 3.8 million. Arbach feels that if we do anything we should demolish and build new.

Chief Deputy Boll requested the jailers receive overtime pay instead of compensatory time. As this subject was not on the agenda, no action could be taken on this request at this time. The commission will take up this subject at a later date.

**BUDGET MEETING:**

The Commissioners set the date of Friday, August 9, 2013 at 9:00 am discuss the provisional budget for 2014.

**PUBLIC RECORDS:**

After a short discussion about releasing public records electronically per a request from a company called Sage, it was decided to table the discussion until the September 3, 2013 meeting to allow the State’s Attorney to gather more information on the matter.

**911:**

Arbach moved and Godkin seconded to approve moving all the NCE911 accounting to the city of Mobridge as of December 31, 2013. Voting Aye: 4; Nay: 0. The motion was adopted.

**OLD BUSINESS:**

**NEW BUSINESS:**

Auditor Rebecca Krein informed the board that she will be reopening the polling places in Glenham and north of Hoven for the 2014 elections.

**ADJOURNMENT:**

Martin moved and Godkin seconded that the Board of County Commissioners adjourn until the hour of 9:00 a.m. on Friday, August 9, 2013. Voting Aye: 4; Nay: 0. The motion was adopted.

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**PHYLLISS PUDWILL, CHAIRPERSON**

**ATTEST:**

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**REBECCA KREIN, AUDITOR**

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